

# ORDINANCE 1497

## **AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO CHAPTER 10 OF THE NORTH BEND MUNICIPAL CODE CONCERNING PARKING REGULATIONS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the City has the authority to establish and enforce vehicle regulations and fines not in conflict with State or federal law; and

**WHEREAS**, the Council has established vehicle regulations and fines in NBMC Chapter 10; and

**WHEREAS**, the Council desires to add, amend and clarify certain of these vehicle regulations and fines to better address traffic concerns within the City; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Parking Regulations:** Chapter 10.06 of the North Bend Municipal Code is hereby amended to be read as follows:

### **10.06.010 Truck parking banned.**

No person shall park a truck, truck tractor, semitrailer, or combination thereof over 25,999 pounds gross vehicle weight and/or 96 inches in width on any of the following streets or within any of the following zones, except for any such vehicle parked in connection with any permitted construction, while loading or unloading goods or services, or during any emergency event when the State has closed Interstate 90:

- A. North Bend Way from the Interstate 90 Exit 34 westerly to and including the intersection of Main Avenue North;
- B. Cedar Falls Way from East North Bend Way roundabout easterly to 436<sup>th</sup> Avenue SE;
- C. 436<sup>th</sup> Avenue SE from the intersection of SE North Bend Way to the southern North Bend city limit;
- D. SE 140<sup>th</sup> Street from the intersection with SE North Bend Way to the intersection with the SE Middle Fork Road, and
- E. 468<sup>th</sup> Avenue SE from I-90 Exit 34 northerly towards SE Middle Fork as posted; and
- F. SE 146<sup>th</sup> Street from 468<sup>th</sup> Avenue SE easterly to the North Bend city limit; and

- G. SE 144<sup>th</sup> Street from 468<sup>th</sup> Avenue SE easterly to the North Bend city limit; and
- H. Any multifamily residential zone as defined in the North Bend Municipal Code.

**10.06.020 Fine.**

Violations of this chapter 10 shall be punishable as infractions. Punishment shall be by a fine in the amount of \$250 for violations of Sections 10.06.010 and 10.06.031 and in the amount of \$75 for any other violations of this Chapter. . Each day such violation is committed shall constitute a separate offense and shall be punishable as such.

In addition to a fine, a person who has parked or left a vehicle standing upon a public street, public right-of-way, or public off-street parking area in violation of this chapter is subject to having the vehicle impounded at the registered owner's expense.

**10.06.031 Time limits for large commercial vehicles.**

- A. No person shall park, or allow to be parked any of the following described vehicles on any public street, highway, public right-of-way, public off-street parking area, or any location open to the public within the city limits of North Bend in excess of six hours in any 24-hour period:
  - 1. Truck-trailer, truck and/or trailer, truck-tractor and/or semitrailer combination over 32,000 pounds licensed gross weight, over 80 inches in width, or over 30 feet in length;
  - 2. Dump trucks;
  - 3. Buses;
  - 4. Trucks with three axles or more; and
  - 5. Mobile home transport vehicles.
- B. The prohibition of this section shall not apply in the following cases:
  - 1. Off-street parking for commercial vehicle operators owning or operating a business that has a North Bend business license and is in operation before January 1, 1993;
  - 2. Any vehicle parked in connection with construction activities for which a permit has been obtained from the North Bend building department; and
  - 3. Any vehicle that is in the process of loading or unloading goods and services within the city limits.

**Section 2. Fire Vehicle Parking.** Chapter 10.08 of the North Bend Municipal Code shall be deleted in its entirety.

**Section 3. Moving Regulations:** Chapter 10.10 of the North Bend Municipal Code is hereby amended to be read as follows:

### **10.10.010 Designated – Truck Routes**

A. Authorized Routes. All trucks, truck-tractors, truck and trailer combinations or truck and semitrailer combinations over 96 inches in width and/or over 25,999 pounds gross weight, and all vehicles transporting radioactive, explosive or other hazardous cargo shall be restricted to the state highway system or to one of the routes authorized in Section 10.10.010(B) below, while traveling to or from destinations within the city or to or from destinations within one-half mile of the city limits and wherever practical, shall take the most direct arterial route to or from the truck routes while traveling to or from said destination.

B. The following streets are designated as truck routes:

1. Bendigo Boulevard S (SR 202)
  - a. Starting at Exit 31, inclusive, thence north to the intersection of W. Fourth Street; thence
  - b. Westerly from the intersection of Bendigo Blvd S and W Fourth Street to North Bend's western city limit.
2. Boalch Avenue NW
  - a. Starting at the intersection with Bendigo Boulevard S (SR 202), inclusive; thence
  - b. North and westerly to North Bend's western city limit.
3. North Bend Way – entire road within the City of North Bend
  - a. Western city limit to the Eastern City Limit.
4. Ballarat Avenue NE
  - a. Starting at the intersection with East North Bend Way, thence
  - b. North to NE 12<sup>th</sup> Street (SE 108<sup>th</sup> Street)
5. NE 12<sup>th</sup> Street (SE 108<sup>th</sup> Street)
  - a. Starting at the intersection with Ballarat Avenue NE, inclusive, thence
  - b. Easterly to and including the intersection with Pickett Avenue NE (428<sup>th</sup> Ave SE) to the City of North Bends northern city limit.
6. 436<sup>th</sup> Avenue SE – that portion within the North Bend city limits
  - a. Starting at the intersection with SE North Bend Way inclusive, thence south
7. 468th Avenue SE
  - a. Starting at Exit 34 from North Bend Way, that portion within the North Bend city limits, thence northerly SE Middle Fork Road as posted.
8. SE 146<sup>th</sup> Street
  - a. Starting at 468<sup>th</sup> Avenue SE easterly to the North Bend city limits.
9. SE 144th Street
  - a. Starting at 468th Avenue SE easterly to the North Bend city limits.

**10.10.020 Signs – Posting required.**

A. The director of public works shall cause appropriate signs to be posted and created along the truck routes described in NBMC 10.10.010(B) to designate and locate said truck routes.

B. Unlawful Acts. When signs have been posted, it shall be unlawful for any person to operate a truck-tractor, truck and trailer combination or truck and semitrailer combination or a combination thereof exceeding 25,999 pounds gross weight upon the public streets of the city not designated as truck routes except in connection with any permitted construction, while loading or unloading goods or services, or during any emergency event when the State has closed Interstate 90.

**Section 4. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 5. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 6<sup>TH</sup> DAY OF AUGUST, 2013.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Kenneth G. Hearing, Mayor**

\_\_\_\_\_  
**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: April 14, 2013  
Effective: April 19, 2013

\_\_\_\_\_  
**Susie Oppedal, City Clerk**